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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/601,167	09/11/2000	Peter Eck	27428/36596	8616

7590

06/07/2004

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EXAMINER

AZAD, ABUL K

ART UNIT

PAPER NUMBER

2654

DATE MAILED: 06/07/2004

10

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/601,167

Applicant(s)

ECK ET AL.

Examiner

ABUL K. AZAD

Art Unit

2654

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 11 September 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 11-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 11,13,15 and 16 is/are rejected.
- 7) ☒ Claim(s) 12,14 and 17 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 September 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 5.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Amendment***

1. This action is in response to the communication filed on July 28, 2000.
2. Claims 11-17 are pending in this action. Claims 1-10 have been canceled.  
Claims 11-17 have been newly added.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 11, 13, 15 and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Cameron (Source Encoding Using Syntactic Information Source Models).

As per claim 11, Cameron teaches, "a method of transmitting a text represented by digital data, the structure of which is defined by a grammar with grammatical rules, from a transmitter to a receiver comprising the steps of":

"in the transmitter, for the purpose of encoding, the grammatical rules contained in the text are converted to a sequence of syntax-directed coding (SDC) symbols by parsing the text and generating a parse tree, such that to each node in this parse tree there is attributed an SDC symbol, which out of all the rules permitted by the grammar at this site unambiguously identifies the rule that is actually contained in the text, and such that the SDC symbols are concatenated, according to a fixed order of traversing all

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nodes of the parse tree, to form a linear sequence of SDC symbols" (Sections II and III, Syntactic Information Source Models and Construction of Syntactic Encoders and Decoders);

"sending the SDC symbol sequence from a transmitter to a receiver for storage in the receiver" (transmitter and receiver is inherent for an encoder and decoder);

"in the receiver, for the purpose of decoding, in a stack machine the grammatical rule corresponding to each stored SDC symbol in the sequence of SDC symbols is executed in order to generate output data that contain the text, in which process an uppermost entry in a stack memory of the stack machine is replaced according to a grammar production determined by an SDC symbol that has been input, and parts of the grammatical rules that cannot yet be completely processed are deposited in a stack memory, whereas parts of the production for which substitution is complete are processed immediately to form part of an executable program for a real processor or a virtual machine" (Section III Construction of Syntactic Encoders and Decoders).

As per claim 15, it is interpreted and thus rejected for the same reasons set forth in the rejection of claim 11.

As per claim 13, Cameron teaches, "to each node in the parse tree there is attributed an SDC symbol and the probability distribution of all the SDC symbols possible in this node" (Section II, Syntactic Information Source models);

"the sequence of SDC symbols is subjected to entropy encoding in conformity with the associated probability distributions" (section III, B, Arithmetic Coding); and

"the entropy decoding is carried out with a probability distribution of SDC symbols identical to that used for the entropy encoding" (Section II, Syntactic Information Source Models).

As per claim 16, Cameron teaches, "in which the text transformed by the scanner into a sequence of terminal symbols is a program present in the source text or in a form derived from the source text by a preprocessor, and in which a code generator is provided that generates from the sequence of terminal symbols an executable machine code or an intermediate code to be executed on a virtual machine" (Section IV, C, Encoding Result for Pascal Programs).

***Allowable Subject Matter***

5. Claims 12, 14, and 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Contact Information***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Abul K. Azad** whose telephone number is **(703) 305-3838**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richemond Dorvil**, can be reached at **(703) 305-9645**.

Any response to this action should be mailed to:

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**Commissioner for Patents**

**P.O. Box 1450**

**Alexandria, VA 22313-1450**


Or faxed to:

**(703) 872-9314**

(For informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to 2121 Crystal Drive, Arlington,  
VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should  
be directed to the Technology Center's Customer Service Office at telephone number  
**(703) 306-0377.**

  
Abul K. Azad

May 27, 2004